



10-20-04

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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/808,188	03/24/2004	Richard Deslauriers	064361.0126

023640
BAKER BOTTS, LLP
910 LOUISIANA
HOUSTON, TX 77002-4995

CONFIRMATION NO. 4577
FORMALITIES LETTER

OC000000013640310

Date Mailed: 08/26/2004

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is **\$65** for a Small Entity

- **\$65** Late oath or declaration Surcharge.

Replies should be mailed to: Mail Stop Missing Parts
Commissioner for Patents
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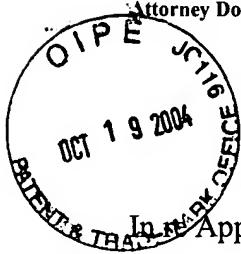
*A copy of this notice **MUST** be returned with the reply.*



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Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

DESLAURIERS, ET AL.

§ Group Art Unit: 1617

Serial No.: 10/808,188

§

Filed: MARCH 24, 2004

§ Examiner: Unassigned

Title: "METHODS OF PERFORMING MEDICAL
PROCEDURES WHICH PROMOTE
BONE GROWTH, COMPOSITIONS
WHICH PROMOTE BONE GROWTH,
AND METHODS OF MAKING SUCH
COMPOSITIONS"

§ Atty. Docket No.: 064361.0126

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Honorable Commissioner for Patents
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CERTIFICATE OF MAILING VIA EXPRESS MAIL
37 C.F.R. 1.10

I HEREBY CERTIFY THAT I HAVE A REASONABLE BASIS FOR BELIEF THAT
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Thomas M. Morrow 10/19/04
THOMAS M. MORROW REG. NO. 55,469

DATE OF MAILING: 10/19/2004
EXPRESS MAIL LABEL: EV 449865670 US

RESPONSE TO NOTICE TO FILE MISSING PARTS
OF NONPROVISIONAL APPLICATION, MAILED AUGUST 26, 2004

Dear Sir:

In response to the Notice to File Missing Parts of Nonprovisional Application for the application referenced above, mailed August 26, 2004, Applicants respectfully submit herewith those items listed below.

As the two month shortened statutory period for reply is due Tuesday, October 26, 2004, this Response is considered timely filed.

Enclosed with this Response are:

- ✓ A copy of the Notice to File Missing Parts of Nonprovisional Application mailed August 26, 2004;
- ✓ Check #904893 in the amount of \$65.00 for late oath or declaration surcharge for a small entity;
- ✓ Declarations executed by inventors Deslauriers, Sendijarevic, and Potash;
- ✓ Power of Attorney executed by Assignee;
- ✓ Assignments executed from Potash to Assignee, from Sendijarevic to Assignee, and from Troy Polymers, Inc. to Assignee;
- ✓ Check # 905096 in the amount of \$40.00 for Assignment Recordation fee, and PTO Form 1595 "Recordation Form Cover Sheet";
- ✓ Supplemental Information Disclosure Statement Transmittal and PTO-1449, with eight of the cited references attached, and with four translations attached; and
- ✓ Return postcard to acknowledge receipt of these items.

Should the Commissioner deem any additional fees are due in association with this filing, including any fees for extensions of time, the Commissioner is hereby requested to accept this as a Petition therefor, and is hereby authorized to debit Baker Botts L.L.P. (*formerly Baker & Botts, L.L.P.*) Deposit Account Number 02-0383, Order Number 064361.0126, for any underpayment of fees, or to credit same with any overpayment of fees.

Respectfully submitted,

BAKER BOTT S L.L.P. (023640)

BY: Thomas M. Morrow

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ATTORNEY FOR APPLICANTS

DATE: October 19, 2004